

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

)  
HOWARD GIMBEL AND MARVIN DAVIS )  
)  
)  
Petitioners, ) **Case No.: 08-cv-4319**  
v. )  
)  
)  
UBS FINANCIAL SERVICES, INC., F/K/A UBS ) **Honorable Judge James B. Zagel**  
PAINEWEEBER, INC., AND CHARLES NICKY BANK, ) **Magistrate Judge Nan R. Nolan**  
)  
Respondents. )  
)

TO: William J. Harte  
William J. Harte, Ltd.  
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Rowena T. Parma  
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PLEASE TAKE NOTICE that on August 14, 2008 at 10:15 a.m. or as soon thereafter as the parties may be heard, counsel for Respondents UBS Financial Services, Inc. and Charles Nicky Bank will appear before the Honorable Judge James B. Zagel, or any other judge sitting in his stead in Room 2503 of the United States District Court for the Northern District of Illinois, 219 South Dearborn, Chicago, Illinois and present the attached *Motion Dismiss and To Confirm Arbitration Award* copies of which are attached hereto and hereby served upon you..

Dated: August 6, 2008

By: /s/ Christian T. Kemnitz  
One of the Attorneys for Respondents  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 6, 2008, I caused the foregoing *Motion Dismiss and To Confirm Arbitration Award* to be electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following e-mail addresses:

**Edward T. Joyce**  
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Dated: August 6, 2008

Respectfully submitted,

By: /s/ Christian T. Kemnitz  
**COUNSEL FOR RESPONDENTS UBS FINANCIAL SERVICES, INC. AND CHARLES NICKY BANK**

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